

*AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Hasan Ersen

SUMMONS IN A CIVIL ACTION

V.
Banana Republic LLC

CASE NUMBER:

08 CV 6706

JUDGE RAKOFF

TO: (Name and address of Defendant)

Banana Republic LLC
C/O C T CORPORATION SYSTEM
111 EIGHTH AVENUE
NEW YORK, NEW YORK, 10011

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

J. Joseph Bainton (JB-5934)
Bainton McCarthy LLC
26 Broadway, Suite 2400
New York, NY 10004
(212) 480-3500

Delivered by Special Process
U.S. District Court
Southern District of New York
Case No. 08CV00670
JUL 23 2008

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUL 23 2008

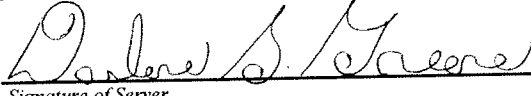
CLERK

DATE

(By) DEPUTY CLERK

Catherine Lapley

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| RETURN OF SERVICE | | |
|--|--|--------------|
| Service of the Summons and complaint was made by me ⁽¹⁾ | DATE <u>Friday, 08/01/2008 (11:20 AM)</u> | |
| NAME OF SERVER (PRINT) <u>Darlene S. Greene</u> | TITLE <u>Process Server</u> | |
| Check one box below to indicate appropriate method of service | | |
| <input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>CT CORPORATION SYSTEM, 111 Eighth Avenue, New York, NY 10011</u> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify): | | |
| STATEMENT OF SERVICE FEES | | |
| TRAVEL | SERVICES | TOTAL \$0.00 |
| DECLARATION OF SERVER | | |
| <p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>08/01/2008</u> <u></u> Date Signature of Server</p> <p style="text-align: center;"><u>P.O. Box 1085</u> <u>Bronx, NY 10471-0600</u> Address of Server</p> <p style="text-align: right; margin-top: 20px;"> Darlene S. Greene- Process Server N.Y.C. Dept. of Consumer Affairs License No.: 1096288 Expires: 02-28-2010 </p> | | |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

gals and services